

BBS NEWS

CALIFORNIA BOARD OF BEHAVIORAL SCIENCES
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Title Change for Licensed Marriage and Family Therapists

At its meeting on August 18, 2011, the Board approved a title change for its marriage and family therapist licensees (MFTs). They will now be referred to as “licensed marriage and family therapists” (LMFTs).

The title change was requested in order to clarify that the Board’s marriage and family therapy licensees hold a valid State license. Most other states use the title “licensed marriage and family therapist” or some version of this term that contains the word “licensed” in the title. The Board’s other licensees—licensed clinical social workers (LCSWs), licensed educational psychologists (LEPs), and licensed professional clinical counselors (LPCCs)—all contain the term “licensed” in their titles.

As marriage and family therapy interns are not licensees of the Board, use of the term “marriage and family therapy intern” (MFT Intern) will continue unchanged.

Completion of the title change from “marriage and family therapist” to “licensed marriage and family therapist” will be a gradual process. The title will be phased in to Board statute and regulations as existing statute and regulations are updated. The Board’s forms, publications, and the Web site will be updated with the new title as other updates are needed. Following the implementation of the Department’s new licensing and enforcement tracking system, with a projected implementation date of August 2012, all engraved license certificates and renewal certificates will be printed with the title “licensed marriage and family therapist.”



Board and Committee Meeting Calendar

2012 Board Meetings

- > February 29 - March 1, Sacramento
- > May 16-17 | Sacramento
- > August 22-23 | Sacramento
- > November 28-29 | Burbank

2012 Policy and Advocacy Committee Meetings

- > January 26
- > April 19
- > July 19
- > November 2

For more information regarding location and meeting materials, go to: www.bbs.ca.gov/bd_activity/bd_mtgs.shtml.

Message from the Board Chair

I am honored to have been appointed as a public member to the Board of Behavioral Sciences (Board) in January 2010 and elected by the Board as its chair in May 2011. The work of this Board is invigorating and challenging. Some of the emerging changes in the mental health profession and in mental health service delivery call for the Board to consider its role in shaping the future of mental health in California. At the same time, the Board must also bear in mind its mandate to protect the public.

Any decision related to changes in the mental health profession or its delivery must be carefully considered and is best accomplished with the participation of all stakeholders. Past collaboration between the Board and its stakeholders produced revisions to marriage and family therapists' education, the addition of a "retired" license status, and the addition of continuing education requirements for licensed educational psychologists. This decision model yields outcomes that benefit both licensees and consumers and is one I want to continue. All members of the licensed marriage and family therapist (LMFT), licensed clinical social worker (LCSW), licensed educational psychologist (LEP), and licensed professional clinical counselor (LPCC) community and the public are encouraged to attend our meetings and participate in the discussions surrounding the future of mental health service delivery in California.

Please join me in welcoming a new mental health profession to the Board, licensed professional clinical counselors. In July 2011, the Board began accepting applications to license practitioners as LPCCs. The addition of LPCCs provides an opportunity to increase consumer access to mental health services. Implementation of this new licensure program was accomplished under extremely challenging circumstances. Despite furloughs, hiring freezes, and budget reductions, Board staff persevered to initiate the rulemaking process to establish the LPCC program, review educational programs, and to create the internal framework necessary for the licensing and regulation of LPCCs. The Board staff is to be commended for its hard work in accomplishing this monumental project.

Looking ahead, the Board continues to move forward in restructuring its existing examination program. In 2010, the Board proposed legislation to restructure the examination program for all applicants. Now, the Board will consider accepting the Association of Social Work Boards' clinical examination in lieu of administering our own exam for licensing of LCSWs in California. In 2012, the Board will participate in the Association of Marital and Family Therapy Regulatory Board's (AMFTRB) occupational analysis and assess the AMFTRB national licensure examination program. The progress and results of these endeavors will be reported at future Board of Behavioral Sciences Board and Committee meetings.

The California budget situation continues to impact Board operations. Regrettably, consumers, licensees, registrants, and Board staff are sometimes affected by decisions that may reduce or delay services offered by the Board. These decisions challenge the Board to evaluate processes with a critical eye to ensure that mission-critical and core functions are accomplished efficiently and effectively. During this time, as always, please know that the Board and staff remain committed to both protecting the consumer and providing the highest level of service possible.

I look forward to serving the Board this coming year. We are sure to face challenges, but with those challenges come opportunities for improvement and growth. Again, I encourage your input as we navigate the road ahead.

Dr. Christine M. Wietlisbach

The BBS Way – Be A Person of Integrity, Be Professional and Dedicated and Serve with Excellence.

Retired License – New License Status

As of January 1, 2011, the BBS began accepting applications for a retired license. A licensee who wishes to apply for a retired license status must have a current license that is capable of being renewed and the license may not be suspended, revoked, or otherwise punitively restricted by the Board or subject to disciplinary action. As long as these conditions are met, a licensee may submit an application to the BBS, which is available on the BBS Web site under the “Forms and Publications” section (www.bbs.ca.gov/forms.shtml), and pay the necessary fee. If the application is approved, the licensee will receive a certificate from the BBS as proof of the retired license status.

A licensee with a retired license may not engage in any activity for which an active license issued by the Board is required. A retired license does not have to be renewed.

‘RETIRED’ AND ‘INACTIVE’ LICENSE DEFINED

A retired license is not the same as an inactive license. Below are the main differences between a retired license and an inactive license:

Retired License	Inactive License
One-time fee of \$40	Biennial fee equal to one-half of the standard renewal fee
May restore license to active status if: The retired license was issued less than five years prior to the date of application; and The licensee meets the requirements stipulated in Business and Professions Code sections (BPC) 4984.41. (LMFT), 4989.45 (LEP), 4997.1 (LCSW), and 4999.113 (LPCC). *If retired license was issued five or more years prior to the date of application, the licensee must reapply for licensure and meet the requirements under BPC sections 4984.41. (LMFT), 4989.45 (LEP), 4997.1 (LCSW), and 4999.113 (LPCC)	May restore license to active status at any time upon payment of the renewal fee and completion of continuing education as required by law.
Neither an inactive licensee nor a retired licensee is permitted to engage in any activity for which an active license issued by the Board is required.	

How to Restore a Retired License to Active Status

The license may be restored to active status if the retired license was issued less than five years prior to the date the application was submitted and if the following requirements are met:

- The licensee has not committed an act or crime constituting grounds for denial of licensure;
- Payment of the renewal fee;
- Completion of all required continuing education;
- A licensee whose retired license was issued less than one year ago must complete 18 hours of continuing education as required by his or her licensing law.
- A licensee whose retired license was issued one or more years ago must complete 36 hours of continuing education as required by his or her licensing law.
- Compliance with the fingerprint submission requirements.

If the retired license was issued five or more years from the date of application, then the license may be restored to active status if the following requirements are met:

- The licensee has not committed an act or crime constituting grounds for denial of licensure;
- The licensee applies for licensure and pays the required fee;
- Passage of the examinations required for licensure; and
- Compliance with the fingerprint submission requirements.

The BBS Web site, under the licensee renewals information section, has more information on the retired license status, including a list of frequently asked questions.

Update on New License Category: Licensed Professional Clinical Counselors

Senate Bill (SB) 788 was signed by the Governor in October 2009. This legislation establishes a new license category of licensed professional clinical counselors (LPCC), to be regulated by the Board of Behavioral Sciences.

The Board is now accepting applications for LPCC licensure and intern registration, which can be found on the Board's Web site.

Legislation recently passed that makes the following changes to LPCC licensure:

- Extended the “Grandparenting” period to December 31, 2011.
- Repealed Business and Professions Code (BPC) sections 4999.56 and 4999.101 and made conforming amendments to BPC sections 4999.102 and 4999.104. These amendments repeal the requirement for individuals granted an LPCC license during the “grandparenting” period that do not have an MFT or LCSW license to annually renew their license and be subject to further examinations.
- Allowed applicants seeking licensure during the “grandparenting” period to obtain the required supervised hours of experience under a professional clinical counselor, or equivalent.

Please continue to check the Board's Web site at www.bbs.ca.gov for future updates relating to LPCC implementation. You may also want to sign up for the Board's e-mail alerts to receive electronic notifications: Click the “Subscriber List” link under “QUICK HITS.”



Restructure of the Board's Examinations for Licensure

Senate Bill 704 (Negrete McLeod) Chapter 387, Statutes of 2011, sponsored by the Board and recently signed into law by the Governor, restructures the examination process for applicants who are seeking marriage and family therapist (LMFT), clinical social worker (LCSW), and professional clinical counselor (LPCC) licensure on or after January 1, 2013.

PREVIOUS LAW

Under current law, upon completion of examination eligibility requirements, applicants for LMFT or LCSW licensure must pass a standard written examination followed by a clinical vignette examination.

Under current law, applicants for LPCC licensure must pass a California law and ethics examination and the National Clinical Mental Health Counselor Examination (NCMHCE) upon completion of examination eligibility requirements.

EXAMINATION RESTRUCTURE FOR LMFTS AND LCSWS

Effective January 1, 2013, applicants for LMFT and LCSW licensure must pass two exams: a California law and ethics exam and a clinical exam. These new exams replace the standard written and the clinical vignette exams that were previously used.

LAW AND ETHICS EXAM

A new registrant with the Board is required to take this exam within the first year of registration with the Board.

If the exam is not passed within the first renewal period, the registrant must complete a 12-hour law and ethics course in order to be eligible to take the exam in the next renewal cycle. The exam must be retaken in each renewal cycle until passed. In addition, in each year the exam is not passed, the 12-hour law and ethics course must be taken to establish examination eligibility.

According to current law, a registration cannot be renewed after six years. If an applicant's registration expires, he or she must pass the law and ethics exam in order to obtain a subsequent registration number.

CLINICAL EXAM

Once a registrant has completed all supervised work experience, completed all education requirements, and passed the law and ethics exam, he or she may take the clinical exam.

This exam must be passed within seven years of an individual's first attempt. If it is not passed within this timeframe, the individual's eligibility to further attempt the exam is placed on hold until the applicant passes the current version of the law and ethics exam.

EXAMINATION RESTRUCTURE FOR LPCCS

Under SB 704, LPCCs will follow the same examination process as LMFTs and LCSWs for the law and ethics exam.

Once an LPCC registrant has completed all supervised work experience, completed all education requirements, and passed the law and ethics exam, he or she must pass the National Clinical Mental Health Counselor Examination (NCMHCE).

The NCMHCE exam must be passed within seven years of an individual's first attempt. If it is not passed within this timeframe, the individual's eligibility to further attempt the exam is placed on hold. He or she must then pass the current version of the law and ethics exam before re-establishing eligibility to take the NCMHCE exam.

PURPOSE OF THE EXAMINATION RESTRUCTURE

The goal of the examination restructure is to enhance consumer protection by requiring an applicant, while practicing as an unlicensed registrant (marriage and family therapy intern, associate social worker, or clinical counselor intern) to take and pass an exam on the legal and ethical practice of their profession. Additionally, the restructure sets up a framework for the Board to smoothly transition to a national testing system. The Board has already accepted a national clinical examination, the NCMHCE, for LPCCs. The Board is currently working with the Association of Marital and Family Therapy Regulatory Boards and the Association of Social Work Boards in order to ensure that their national examinations will meet testing standards unique to the needs of California. Once the Board is able to accept the national LMFT and LCSW licensing examinations, they will replace the Board-administered clinical exam. Applicants would then take the California law and ethics exam as well as a national exam. Ultimately, accepting the national examinations will benefit applicants by allowing greater portability of licenses across states.

BBS Fingerprinting Requirement for Licensees and Registrants – Status Update

For about 15 years, the BBS has required applicants to complete a criminal background check by submitting fingerprints through the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). Prior to that time, the BBS did not require licensees and registrants to submit a fingerprint clearance as a condition of licensure or registration.

The BBS adopted regulations effective June 19, 2009, requiring criminal background checks for all licensees and registrants who have either not been fingerprinted as a condition of licensure or registration or for whom no electronic record exists in the DOJ criminal offender record identification database. The BBS identified approximately 35,000 licensees and registrants who are affected by this new regulation and who will be required to submit fingerprints. The deadline for compliance is the licensee or registrant's first expiration date occurring on or after October 31, 2009.

Effective July 2009, the BBS began notifying affected individuals in writing. Approximately 26,000 of the 35,000 identified licensees and registrants have already been fingerprinted. Licensees or registrants with their first expiration date occurring on September 30, 2011, were the last

group of individuals required to comply under the new regulation. Noncompliance with this new regulation will result in a citation and fine.

If you have been fingerprinted before for another agency, you cannot share your results with the BBS and will have to be fingerprinted for the BBS. The law restricts third parties from sharing criminal background checks. If you are uncertain whether or not you need to comply, please send an e-mail to the BBS (bbswebmaster@dca.ca.gov). The e-mail should include your license/registration number, your name, and a statement that you would like to receive notification if the fingerprint requirement affects you.

Forms, instructions, and frequently asked questions relating to the new fingerprinting requirement are available on the BBS Web site at www.bbs.ca.gov/licensees/licensee_fingerprint_requirement.shtml. For a list of certified Live Scan fingerprinting service providers, visit the Attorney General's Web site at (<http://ag.ca.gov/fingerprints/publications/contact.php>).

The BBS recognizes this fingerprinting requirement represents an inconvenience to many licensees and registrants, but criminal background checks are an essential component of our mission to protect consumers. The BBS Web site is a good resource should you have further questions regarding this new requirement (www.bbs.ca.gov/licensees/licensee_fingerprint_requirement.shtml).

Did you Know?

Not sure what the child car seat requirements are in California?

Looking for a place to recycle your bottles and cans?

The Department of Consumer Affairs has a new Consumer Wiki Web site that provides a single location for easy to find consumer-related information.

Check out <http://consumerwiki.dca.ca.gov/wiki/index.php> for DCA's Self-Help Directory. -



BBS Welcomes New Board Members

Since the last issue of *BBS News*, three new Board members have been appointed to the BBS. Please read below for a short biography on our newest members.

KAREN PINES was appointed by Governor Brown as an LMFT member in April 2011. She previously served as a member of the Board of Behavioral Sciences from July 24, 1999, to July 31, 2006. During her tenure with the Board, she served three terms as the Board's Chair and one term as the Board's Vice Chair. In addition to her previous Board service, Ms. Pines has also served as a public member for the Physical Therapy Board and is an adjunct professor at Pepperdine University's Graduate School of Education and Psychology. She earned her bachelor of science in journalism from Ohio University with a minor in education, and her master of education and psychology from California State University, Northridge. Ms. Pines holds numerous certifications and has participated in various trainings including, but not limited to, alcohol and drug abuse counselor certification, critical incident debriefing specialist certification and pain management training.

CHRISTINA WONG was appointed by Governor Brown as an LCSW member in May 2011. Since 2002, Ms. Wong has been employed by Glenn County Health Services and currently serves as Health Services Program Coordinator. She was formerly the Senior Mental Health Counselor for

the Children's System of Care Program. Ms. Wong is also a Mental Health Clinician for Butte County Probation Department's Minor Adjustment Program, providing family counseling to the incarcerated minors in juvenile hall and upon release in the community since 2008. Ms. Wong is the field instructor for California State University, Chico, School of Social Work and previously served as the Dean of Student Affairs for Hong Kong Shue Yan College from 1993-1997. Ms. Wong received her master of social work degree from the University of Hull, United Kingdom. She volunteers as Region D Director of the National Association of Social Workers, California Chapter.

SARITA KOHLI was appointed by Governor Brown in June 2011 as an LMFT member. Ms. Kohli has been working in community mental health for over 12 years. Currently, she serves as Director of Mental Health Programs at Asian Americans for Community Involvement (AACI) in San Jose, overseeing outpatient Mental Health programs and the Center for Survivors of Torture. Ms. Kohli is in the Addressing Health Disparities Leadership Program of the National Council of Community Behavioral Health, a national leadership program for developing leaders from ethnically diverse communities. Previously, Ms. Kohli was on the Board of West Valley Community Services, a community services organization providing basic needs, family support and housing services. She serves on the Santa Clara County Social Services Advisory Commission and has been on the Executive Committee for the National Consortium of Torture Treatment Programs. Ms. Kohli is a passionate advocate for mental health and social services for underserved populations.



Supervisor Corner

As a spin-off of the popular Registrant Corner, the BBS would like to present the new Supervisor Corner, where BBS evaluators will answer registrant and licensee questions about supervisor requirements. The BBS will now take your questions:
–Marina Karzag, *BBS News* editor

Q: I am an MFT Intern and my supervisor is an LMFT, but she has not completed the required six-hour supervision training. Can she still supervise me?

A: If your supervisor has not taken the required six-hour training within the two years preceding the start of your supervision, then she must complete the training within 60 days of commencement of the supervision and every renewal period when supervising. This training is required for LMFT and LCSW supervisors of MFT Interns. The supervisor must retain documentation verifying completion of the training and provide it to the BBS upon request. The BBS' Web site is a useful source of information on supervisor requirements and also has a list of approved training providers. – Debbie Flewellyn, LMFT evaluator

Q: I'm an LCSW and I've supervised MFT Interns in the past, but I am now planning on supervising an ASW. Are there any differences? Is there a different form I have to sign?

A: Yes, there are differences in the training requirements and the necessary forms. As an LCSW supervising an MFT Intern, you must complete a six-hour supervision training within the two years preceding commencement of supervision and every renewal period supervising. In order to supervise an ASW, you must complete at least 15 contact hours in supervision training prior to commencement of supervision. Once you complete the training, you do not have to complete it again. As an MFT Intern supervisor, you must complete and sign the Responsibility Statement for Supervisors of an MFT Trainee or Intern. As an ASW supervisor, you must develop a supervisory plan, complete and sign the Supervisory Plan form, and complete and sign the Responsibility Statement for Supervisors of an ASW form. The BBS Web site has more information on all of the requirements for supervisors and the necessary forms under the "Supervisor Resource" section (www.bbs.ca.gov/licensees/supervisor_resource.shtml). – Darlene York, ASW/LCSW evaluator

Q: I'm an ASW and am looking for a supervisor. Does my supervisor have to have a current license? What if they just got their license for the first time a few months ago?

A: A supervisor of an ASW or MFT Intern must maintain a current and valid California license as one of the following mental health professionals: LMFT, LCSW, LPCC, licensed psychologist, or licensed physician certified in psychiatry by the American Board of Psychiatry and Neurology. Except for an LCSW, a supervisor of an ASW must have possessed a current and valid California license for at least two years prior to the commencement of supervision. A supervisor of an MFT Intern must have possessed a current and valid California license for at least two years prior to the commencement of supervision, regardless of license type. It is critical that your supervisor maintains a current and valid license status while providing supervision. Supervision under a delinquent or expired license is not permitted. – Terri Maloy, ASW/LCSW evaluator



Registrant Corner – What You Need to Know About Intern Registration Requirements

INDEPENDENT CONTRACTOR LAWS

Mary Wilson is a registered Marriage and Family Therapist (MFT) Intern with BBS. She would like to begin working for a nonprofit organization to gain supervised experience hours. The nonprofit told Mary that they cannot pay her for her services, but they can pay her for the costs associated with her work, such as travel costs, so they would like to pay her as an IRS Form 1099 independent contractor. However, Mary knows that according to Business and Professions Code section 4980.43(j), reimbursement for costs related to services rendered that total less than \$500 a month in all work settings is considered employment. Mary suggested to the nonprofit that they issue her a monthly stipend and a W-2 because a Form 1099 is not accepted by the BBS as proof of experience. The non-profit agrees to pay Mary a monthly stipend to reimburse her for travel costs and Mary is able to count her hours of supervised experience towards the MFT licensure requirements.

THE SIX-YEAR REGISTRATION AND EXPERIENCE RULE

Chris Bailey is an Associate Clinical Social Worker (ASW) and just received a notice in the mail that said his registration number is going to expire soon. Because registration

numbers are only valid for one year, Chris must renew his registration annually in order to continue to receive credit for post-degree hours of supervised experience. Chris also realizes that he will now be in his sixth year as a registered ASW and, therefore, he will have to apply for a new registration number in one more year because BBS will only accept hours of experience that are not older than six years from the date of exam eligibility application. One week later, Chris has still not sent in his renewal form and now he can't find the form that BBS sent him in the mail. Chris checks out the BBS Web site, under the "Forms and Publications" section www.bbs.ca.gov/forms.shtml, and finds a link to the renewal form. He fills out the form, answering all of the questions, and then sends it to the BBS with the appropriate fee enclosed.

GETTING A SECOND REGISTRATION NUMBER

Michael Garcia is an ASW and works for a private practice. He has renewed his registration number five times and will have to apply for a new number before his next expiration date in order to continue to receive credit for supervised hours of experience. He would like to continue to work for the private practice after receiving his second registration number, but he's not sure if this is allowed. Michael finds the Answers to Most Frequently Asked Questions Relating to ASWs publication under the "Forms and Publications" section on the BBS Web site. He learns that he is not allowed to work in a private practice setting under a subsequent ASW number, including paid work or volunteer work. However, he can work in all other work settings. Michael decides to begin looking for a non-private practice work setting so he can continue to accumulate supervised hours of experience under his second registration number. Michael also finds the ASW registration application under the "Forms and Publications" section on the BBS Web site so he can send it in before his upcoming expiration date.

REGISTRATION NUMBER 90-DAY WINDOW

Louise Blithe just finished her master's degree from a qualifying degree program and started gaining hours of supervised experience under a Licensed Marriage and Family Therapist in a nonprivate practice setting. She sent in her MFT Intern application about a week ago and still hasn't received her registration number. She is concerned that if she doesn't receive her registration number her hours of experience will not count. Fortunately, Louise mailed her MFT Intern application within 90 days from the degree date on her transcript, so she can count her post-degree hours towards licensure. Louise may not receive her intern registration number right away because she must allow a minimum of 60 days for processing her application. For more information on post-degree hours of experience, Louise should check out Answers to Most Frequently

Renewal Form Reminders

Asked Questions Relating to MFT Trainees and Interns on the BBS Web site under the “Forms and Publications” section.

LEP EQUIVALENT WORK EXPERIENCE

Michelle Rogers has been a credentialed school psychologist for three years at a private school and is not sure she can count this experience towards the LEP licensure requirements. Michelle reviewed the statutes and regulations that govern LEP licensure on the BBS Web site under the “Forms and Publications” section and found California Code of Regulations section 1856(c). She found that as long as her experience is obtained within the six years prior to the date of her application for exam eligibility, then it is at the Board’s discretion to deem experience as a credentialed school psychologist employed by a parochial or private school as equivalent to experience as a credentialed school psychologist in the public schools. Michelle also found the Examination Eligibility Application packet under the “Forms and Publications” section.

ADDITIONAL COURSEWORK REQUIREMENT

Isaac Smith is interested in obtaining an LCSW license in California, but he is not sure where to start. He first visits the BBS Web site and finds the LCSW license requirements information under the “Applicant/Registrant” section. This web page provides Isaac with an overview of the degree requirements for licensure, including a list of accredited schools and the additional coursework required prior to taking the exam. Isaac notices that the list of schools also identifies which additional courses would be required at that school. Isaac also refers to the LCSW Breakdown of Required Experience publication for information on experience requirements. After reading the statutes and regulations that govern the LCSW license on the BBS Web site, Isaac is on his way to becoming a California LCSW.

OFFSITE SUPERVISION

Laura Warenheimer just became a registered Associate Clinical Social Worker with BBS. She has been volunteering for the county hospital for several years now but needs to start gaining the required supervised hours for licensure. The county does not have the resources to provide Laura with the necessary supervision, so Laura asks the county if she could have someone else provide her with the required supervision and the county agrees. Laura finds a sample letter of agreement on the Board’s Web site, which is required for any offsite supervision. She drafts a letter of agreement and has both the county and her supervisor sign the letter to assure the supervisor maintains responsibility for the services provided by Laura. Laura may now begin accumulating supervised experience hours and knows she must send the letter to BBS with her application.

Renewal applications can take at least four to six weeks to be processed. The BBS sends out the renewal notice approximately 100 days prior to the expiration date. If a licensee/registrant does not receive the renewal notice, he or she can download the form from the BBS Web site under the “Publications and Forms” section at www.bbs.ca.gov/forms.shtml.

There are many reasons a renewal application may be rejected or the processing may be delayed. The most common reason for a delay in processing is an incomplete renewal application. Below are some reasons that may cause a delay in processing:

- The form is not signed.
- The conviction question is not answered.
- The continuing education question is not answered (licensees only).
- The licensee/registrant did not keep a current address on record with the BBS and the renewal notice was sent to the wrong address (Keep in mind that the United States Postal Service’s mail forwarding service is only valid for one year.)
- The necessary fee is not enclosed (Licensees only: Additional fees may apply if the license is not renewed on time.)

All of the information requested on the renewal application is required. Licensees/registrants are required to disclose all misdemeanors and felonies on the renewal application, including any conviction that was expunged by the court. The licensee/registrant must sign and date the form. Licensees/registrants must also provide their social security number, legal name, address, and continuing education information on the renewal application. The licensee/registrant’s name, license status, and address are public information.

In order to minimize processing times and ensure the timely renewal of licenses/registrations, the BBS strongly encourages licensees/registrants to submit the renewal application and necessary fees no more than 90 days prior to the expiration date. The renewal application must be postmarked on or before the expiration date of the license/registration in order to avoid paying a delinquency fee (registration renewals are not subject to delinquency fees). A license/registration that is not renewed by the expiration date is deemed expired. A renewal is not complete until the Board has fully processed the renewal. It is illegal to practice with an expired license/registration, so it is imperative for a licensee/registrant to renew on time.

In order to verify that your renewal has been processed, you can use the online license verification tool on the BBS Web site to find out if your expiration date has been updated. Please allow 20 days after your payment has posted for your license/registration to arrive in the mail. The BBS does not have sufficient staff resources to respond to renewal status check requests.

Disciplinary Actions

Jan 1, 2011, to June 30, 2011

Disciplinary actions are public information, and public documents relating to each action are available on the Board of Behavioral Sciences Web site. To access these documents, visit the Online License/Registration Verification Web page www.bbs.ca.gov/quick_links/weblookup.shtml and input identifying information for the licensee (name or license number).

Eve, Sharon Idelle

MFC 93117, Case No. MF-2006-555
Goleta, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$10,594.50 before new or reinstatement of license. Effective 1/3/2011.

Johnson, Michael Austin

MFC 8463, Case No. MF-2008-899
Fullerton, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$11,616.15. Effective 1/14/2011.

Kwan, Luwin

IMF 55017, Case No. IM-2008-323
El Monte, CA

Decision: By stipulation, registration revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, recordkeeping and medical insurance billing coursework, law and ethics coursework, and reimbursement of the probation program in the amount of \$1,200 per year of probation. Must pay cost recovery of \$5,000. Effective 1/3/2011.

Mendoza, Sylvia

LCS 20653, Case No. LC-2009-134
Pasadena, CA

Decision: By decision, license revoked. Must pay cost recovery of \$4,545. Effective 1/3/2011.

Schwarz-Kesling, Marianne Rose

MFC 31808, Case No. MF-2007-1013
Santa Rosa, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$12,069.55 prior to new or reinstatement of license. Effective 1/14/2011.

Allen, Charles Robert

LCS 8550, Case No. LC-2010-812
Salinas, CA

Decision: By decision, license revoked. Must pay cost recovery of \$3,032.50. Effective 1/28/2011.

Fishman, Joel

MFC 7650, Case No. MF-2009-1339
Beverly Hills, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, psychotherapy, supervised practice for one year, education, and reimbursement of probation program. Must pay cost recovery of \$5,360. Effective 1/28/2011.

Howerton, Tina Denice

ASW 29958, Case No. AP-2009-1139
San Leandro, CA

Decision: By stipulation, registration issued, revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, psychotherapy, supervised practice, reimbursement of probation program in the amount of \$1,200 per year, and chemical dependency support and recovery group. Effective 1/28/2011.

Jackson, Garrette

IMF 65983, Case No. AP-2009-986
Pittsburg, CA

Decision: By stipulation, registration issued, revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, psychotherapy, supervised practice, substance abuse or alcohol/drug abuse coursework, rehabilitation program, abstain from alcohol/controlled substances, biological fluid testing, and reimbursement of probation program. Effective 1/28/2011.

Longo, Alisha Lynn

IMF 55681, Case No. IM-2008-1188
Carlsbad, CA

Decision: By default, registration revoked. Effective 1/26/2011.

Webber Mills, Katya (aka Douglas)

IMF 51698, Case No. IM-2010-693
Oakland, CA

Decision: By decision, registration revoked. Must pay cost recovery of \$2,130 prior to reinstatement of registration. Effective 1/26/2011.

Bogardus, John Arthur

LCS 10050, Case No. LC-2007-1023
San Francisco, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for four years. Terms and conditions of probation include, but not limited to, supervised practice, record keeping and psychopharmacology coursework, and reimbursement of probation program in the amount of \$1,200 per year. Must pay cost recovery of \$11,342.75. Effective 2/19/2011.

Brown, Laura M. (AKA Nicholls)

IMF 59151 & MFC 49692, Case No. IM-2010-437

Grass Valley, CA

Decision: By stipulation, registration revoked, license issued, revoked, revocation stayed, placed on probation for five years with 14 days actual suspension. Terms and conditions of probation include, but not limited to, psychotherapy, abstain from alcohol/controlled substances, biological fluid testing, and reimbursement of probation programs in the amount of \$1,200 per year. Must pay cost recovery of \$1,423.75. Effective 2/19/2011.

Clay, Gayle Deanne

LCS 6844 & MFC 8165, Case No. LC-2008-57

Carpinteria, CA

Decision: By stipulation, voluntary surrender of licenses. Must pay cost recovery of \$5,332.99 prior to issuance of new registration or license. Effective 2/19/2011.

Thompson, Lynn Ann

MFC 23544, Case No. MF-2009-725

Los Angeles, CA

Decision: By default, license revoked. Effective 2/19/2011.

Veach, Margaret Curry

LCS 17689, Case No. LC-2010-350

Sonoma, CA

Decision: By default, license revoked. Effective 2/19/2011.

Williams, Jessica Jaminda

ASW 29959, Case No. AP-2010-35

Daly City, CA

Decision: By decision, registration issued, revoked, revocation stayed, placed on probation for three years. Effective 1/26/2011.

Eichell, Mary Anne

MFC 43826, Case No. MF-2008-37

Newbury Park, CA

Decision: By decision, license revoked. Effective 3/18/2011.

Hendrix, James Lee

MFC 46265, Case No. MF-2010-1608

Modesto, CA

Decision: By decision, license revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, psychotherapy, if recommended, and reimbursement of probation program. Must pay cost recovery of \$3,035. Effective 3/18/2011.

Labastida, Elena Antonia

IMF 66102, Case No. AP-2010-371

Yucaipa, CA

Decision: By stipulation, registration issued, revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, supervised practice, reimbursement of probation program in the amount of \$1,200 per year, and law and ethics course. Effective 2/16/2011.

Joyce, Carol S.

MFC 6401, Case No. MF-2009-632

Davis, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for two years. Terms and conditions of probation include, but not limited to, psychotherapy, reimbursement of probation program in the amount of \$1,200 per year, and law and ethics course. Must pay cost recovery of \$1,500. Effective 3/24/2011.

Kane, Michael Peter

IMF 66426, Case No. AP-2010-42

Colton, CA

Decision: By decision, registration issued, revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, psychotherapy, and practice restricted to the treatment of males. Effective 3/24/2011.

Massod, Therese Marie

LCS 16788, Case No. LC-2009-20

Stockton, CA

Decision: By stipulation, revoked, revocation stayed, placed on probation for four years. Terms and conditions of probation include, but not limited to, prohibited from treating Victims Compensation Fund clients, reimbursement of probation program in the amount of \$1,200 per year, monitor billing system, monitor billing system audit, and billing practices and law and ethics coursework. Must pay cost recovery of \$6,502.50. Effective 3/24/2011.

Weaver, David Joseph

MFC 44583, Case No. MF-2008-1335

Los Angeles, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, supervised practice, psychological or psychiatric evaluation, psychotherapy, rehabilitation program, law and ethics coursework, abstain from use of alcohol/controlled substances, biological fluid testing, and reimbursement of probation program in the amount of \$1,200 per year. Must pay cost recovery of \$3,500. Effective 3/24/2011.

Martin, John

MFC 27950, Case No. MF-2008-635

Redwood City, CA

Decision: By decision, license revoked, revocation stayed, placed on probation for four years. Terms and conditions of probation include, but not limited to, reimbursement of probation program, and professional boundaries and law and ethics coursework. Must pay cost recovery of \$7,981.56. Effective 3/30/2011.

Black, Dennis

LCS 21896, Case No. LC-2009-1335

Compton, CA

Decision: By stipulation, revoked, revocation stayed, placed on probation for five years with 60 days actual suspension. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, psychotherapy,

supervised practice, chemical dependency coursework, abstain from use of alcohol/controlled substances, biological fluid testing, recovery program for chemical dependence, and reimbursement of probation program in the amount of \$1,200 per year. Must pay cost recovery of \$7,927.50. Effective 4/10/2011.

Dendinger, Victoria Kathleen

MFC 11681, Case No. DP-2009-1384
Orange, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$2,525 prior to issuance of a new registration or license. Effective 4/15/2011.

Gilmartin, Deirdre Mary

LCS 18255, Case No. LC-2010-584
Napa, CA

Decision: By decision, license revoked. Must pay cost recovery of \$3,700. Effective 4/10/2011.

Hubbs, Matthew Joseph

IMF 53623, Case No. IM-2010-311
Lakeside, CA

Decision: By stipulation, registration revoked. Must pay cost recovery of \$4,161.50 prior to issuance of a new or reinstated license. Effective 4/10/2011.

Menger, Patrick Eric

IMF 48799, Case No. IM-2009-424
San Francisco, CA

Decision: By decision, registration revoked. Must pay cost recovery of \$3,453.75. Effective 4/10/2011.

Rokaw, Irene M.

LCS 6231, Case No. LC-2009-212
Los Angeles, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, supervised practice, record keeping and law and ethics coursework, and reimbursement of probation program. Must pay cost recovery of \$5,000. Effective 4/15/2011.

Stack, Alyson Nicole (aka Nicole Stack)

IMF 66586, Case No. AP-2010-256
Santa Monica, CA

Decision: By stipulation, registration issued, revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, psychotherapy, supervised practice, alcohol use and abuse coursework, abstain from use of alcohol/controlled substances, biological fluid testing, chemical dependency support and recovery group, and reimbursement of probation program in the amount of \$1,200 per year. Effective 4/14/2011.

Steinberg, Dean

IMF 47754, Case No. IM-2008-1246
Beverly Hills, CA

Decision: By stipulation, registration revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, psychotherapy, if needed, supervised practice, abstain from the use of alcohol/controlled substances, biological fluid testing, continue attendance at Alcoholic Anonymous Meetings, and reimbursement of probation program in the amount of \$1,200 per year. Must pay cost recovery of \$3,906.25. Effective 4/10/2011.

Webster, Wilma Pauline

IMF 66587, Case No. AP-2010-433
Palmdale, CA

Decision: By decision, registration issued, revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, psychotherapy, supervised practice, and reimbursement of probation program. Effective 4/15/2011.

Clarke, Dyan Lee

MFC 37633, Case No. MF-2007-1240
Roseville, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$26,319 prior to issuance of a new registration or license. Effective 4/28/2011.

Cohen, Jed Moses

MFC 25074, Case No. MF-2007-615
San Francisco, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$5,713 prior to issuance of a new license. Effective 4/28/2011.

Leavitt, Joanne Phyllis

MFC 13378, Case No. MF-2010-897
Lafayette, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, alcohol and substance abuse coursework, rehabilitation program, abstain from the use of alcohol/controlled substances, biological fluid testing, and reimbursement of probation program in the amount of \$1,200 per year. Must pay cost recovery of \$1,077.50. Effective 4/28/2011.

McKenzie, Jennifer

LCS 20319, Case No. LC-2009-885
Santa Rosa, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$1,940 prior to issuance of a new registration or license. Effective 4/28/2011.

Shaw III, Vernell

ASW 19507, Case No. AS-2008-1129
Stockton, CA

Decision: By stipulation, registration revoked, revocation stayed, placed on probation for five years with 60 days actual suspension. Terms and conditions of probation include, but not limited to, supervised practice and reimbursement of probation program in the amount of \$1,200 per year of probation. Must pay cost recovery of \$1,500. Effective 4/28/2011.

Chervick, David A.

MFC 16872, Case No. MF-2009-893
Granite Bay, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, supervised practice, law and ethics coursework, and reimbursement of probation program

in the amount of \$1,200 per year. Must pay cost recovery of \$2,847.50. Effective 5/22/2011.

Coleman, Kennita

IMF 49360, Case No. IM-2010-658

Moreno Valley, CA

Decision: By stipulation, voluntary surrender of registration. Must pay cost recovery of \$2,218.75 prior to issuance of new license. Effective 5/22/2011.

Iversen, Martha J.

LCS 12320, Case No. LC-2010-1399

Berkeley, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, psychotherapy, supervised practice, alcohol and substance abuse coursework, attend Alcoholics Anonymous meetings, abstain from the use of alcohol/controlled substances, biological fluid testing, and reimbursement of probation program in the amount of \$1,200 per year. Must pay cost recovery of \$1,278.75. Effective 5/22/2011.

Pavlik, Timothy Lee

IMF 55286, Case No. IM-2010-211

Carmel By the Sea, CA

Decision: By decision, registration revoked, revocation stayed, and placed on probation for three years. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, psychotherapy, abstain from the use of alcohol/controlled substances, biological fluid testing, and attend a chemical dependency support group. Must pay cost recovery of \$3,260. Effective 5/22/2011.

San Filippo, Ingrid Mary

IMF 50252, Case No. IM-2009-904

San Diego, CA

Decision: By default, registration revoked. Effective 5/22/2011.

Perzik, Jordan Tourtelot

IMF 67104, Case No. AP-2010-403

Los Angeles, CA

Decision: By decision, application denied, denial stayed, registration granted for a pe-

riod of two years. Terms and conditions of probation include, but not limited to, abstain from the use of alcohol/controlled substances, biological fluid testing. Effective 6/3/2011.

Alferness, Melvin Gerald

MFC 34933, Case No. MF-2010-706

Sacramento, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, supervised practice, attend Alcoholics Anonymous meetings, abstain from the use of alcohol/controlled substances, biological fluid testing, and reimbursement of probation program in the amount of \$1,200 per year. Must pay cost recovery of \$1,062.50. Effective 7/10/2011.

Holzman, Morrisa Lee

LCS 10421, Case No. LC-2009-1190

Oakhurst, CA

Decision: By stipulation, license revoked, revocation stayed, and placed on probation for three years. Terms and conditions of probation include, but not limited to, supervised practice. Must pay cost recovery of \$2,805. Effective 7/10/2011.

Manus, Scott Barry

LCS 23012, Case No. D1-2009-404

Oakland, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$2,500 prior to issuance of a new registration or license. Effective 7/10/2011.

Steele, Mary Adelaide

MFC 30804, Case No. MF-2009-796

San Jose, CA

Decision: By decision, publicly reprobated. Must pay cost recovery of \$5,410. Effective 7/10/2011.

Villegas, Fernando Andrew

IMF 53040, Case No. IM-2010-620

Chino Hills, CA

Decision: By decision, registration revoked. Must pay cost recovery of \$500. Effective 7/10/2011.

Nyseen, Neill Vincent

IMF 67383, Case No. AP-2009-525

Westminster, CA

Decision: By decision, registration issued, revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, psychological or psychiatric evaluation, abstain from the use of alcohol/controlled substances, biological fluid testing, psychotherapy, rehabilitation program, and reimbursement of probation program in the amount of \$1,200 per year. Effective 7/13/2011.

Carter, Terry Lee

IMF 50427, Case No. IM-2010-59

San Diego, CA

Decision: By stipulation, voluntary surrender of registration. Must pay cost recovery of \$2,507.50 prior to the issuance of a license. Effective 7/30/2011.

Cunningham-Finneseth, Jordan Kyle

IMF 52644, Case No. IM-2009-750

Highland, CA

Decision: By default, registration revoked. Effective 7/30/2011.

Friedman, Carrie Lynn

IMF 53333, Case No. IM-2009-40

Redondo Beach, CA

Decision: By default, registration revoked. Effective 7/30/2011.

Haddock, Samuel Jacob

ASW 30664, Case No. AP-2011-1195

Bakersfield, CA

Decision: By stipulation, registration issued, revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, psychotherapy, rehabilitation program, abstain from the use of alcohol/controlled substances, biological fluid testing, attend Alcoholics Anonymous meetings, and reimbursement of probation program in the amount of \$1,200 per year. Must pay cost recovery of \$2,500. Effective 7/30/2011.

Hatakeyama, Jason Shoji

ASW 30811, Case No. AP-2010-219

Los Angeles, CA

Decision: By stipulation, registration issued, revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, psychotherapy, abstain from the use of alcohol/controlled substances, biological fluid testing, coursework in alcohol abuse, and reimbursement of probation program. Effective 7/30/2011.

Legler, John Phillip

MFC 8533, Case No. MF-2009-213

Newhall, CA

Decision: By stipulation, license revoked, revocation stayed, placed on probation for five years. Terms and conditions of probation include, but not limited to, supervised practice, education, and reimbursement of probation program. Must pay cost recovery of \$7,500. Effective 7/30/2011.

McCabe-Hax, Rita Mai

LCS 19023, Case No. LC-2010-995

Sacramento, CA

Decision: By stipulation, voluntary surrender of license. Must pay cost recovery of \$2,762.50. Effective 7/30/2011.

Steckwren, Marla Dianne

ASW 30688, Case No. AP-2010-563

Turlock, CA

Decision: By stipulation, registration issued, revoked, revocation stayed, placed on probation for three years. Terms and conditions of probation include, but not limited to, psychotherapy, abstain from the use of alcohol/controlled substances, biological fluid testing, attend Alcoholics Anonymous meetings, and reimbursement of probation program in the amount of \$1,200 per year. Effective 7/10/2011.

Sweet, Christina Jensen

IMF 58518, Case No. IM-2010-215

Redondo Beach, CA

Decision: By default, registration revoked. Effective 7/30/2011.

Enforcement Citations

January 1, 2011, through June 30, 2011

UNPROFESSIONAL CONDUCT

NAME	LICENSE NUMBER	FINE AMOUNT
JOLIE CANDACE LUCAS	LCS 23145	\$500
MARK STEPHEN LOEBS	MFC 23037	\$500
HAROLD LLOYD TYSON	MFC 35916	\$1,000

DISHONEST ACT

MICHELLE M. WEIL	MFC 14109	\$500
AMBAR MARIA CORUGEDO	LCS 12610	\$500
EVA K. RIDER	MFC 34393	\$1,000

BREACH OF CONFIDENTIALITY

DEBRA ANN WIEGEL	MFC 27597	\$500
CAROLINE PAYNE MAYER	LCS 16789	\$500
JACQUELYNNE CELESTE CHILDS	MFC 27086	\$500
JACQUELYN L. HOLMES	MFC 25575	\$500
YVETTE CHAVEZ	MFC 41994	\$1,000

UNLICENSED PRACTICE

ANTJE PETERSEN	MFC 42087	\$500
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FAILURE TO KEEP RECORDS

MARK GERALD KOCH	MFC 33411	\$2,500
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PRACTICING WITH AN EXPIRED LICENSE

THOMASINA M. MOSLEY	MFC 39697	\$250
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Regulation Update

Licensed professional clinical counselors, exceptions to continuing education requirements — Title 16, California Code of Regulations (CCR) sections 1800, 1802, 1803, 1804, 1805, 1805.1, 1806, 1807, 1807.2, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1816.1, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1819.1, 1832, 1833.1, 1850.6, 1850.7, 1870, 1870.1, 1874, 1877, 1880, 1881, 1886, 1886.10, 1886.20, 1886.30, 1886.40, 1886.50, 1886.60, 1886.70, 1886.80, 1887, 1887.1, 1887.2, 1887.3, 1887.4, 1887.5, 1887.6, 1887.7, 1887.8, 1887.9, 1887.10, 1887.11, 1887.12, 1887.13, 1887.14, 1888, and adding 1820, 1821, and 1822.

This proposal implemented all provisions related to Senate Bill 788 (Chapter 619, Statutes of 2009) and the creation of licensed professional clinical counselors. Additionally, this rulemaking incorporated changes approved by the Board relating to continuing education requirements for licensed educational psychologists.

STATUS

The rulemaking package was approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on May 24, 2011. It became effective immediately.

HIV/AIDS CONTINUING EDUCATION COURSE FOR LPCCS — TITLE 16, CCR SECTION 1887.3

This proposal revises current Board regulations to include LPCCs in the

requirement to take a one-time, seven hour continuing education course covering the assessment and treatment of people living with HIV/AIDS. The Board approved the proposed text at its February 23, 2011, meeting and directed staff to submit a regulation package to make the proposed change. This rulemaking will be submitted to OAL for initial notice in early 2012.

ENFORCEMENT — TITLE 16, CCR SECTIONS 1803, 1845, 1858, 1881 AND ADDING SECTIONS 1823 AND 1888.1

This proposal is part of an effort by the Department of Consumer Affairs (DCA) to provide the healing arts boards with additional regulatory tools for investigating and prosecuting violations of law. The amendments proposed fall into three categories and are intended to assist in streamlining the enforcement process:

1. Delegating to the Board's Executive Officer the authority to approve settlement agreements for revocation, surrender, and interim suspension of a license;
2. Outlining certain required actions against registered sex offenders; and
3. Adding additional acts of unprofessional conduct.

The Board approved the proposed text at its August 18, 2011, meeting and directed staff to submit a rulemaking package to make the proposed changes. This rulemaking will be submitted to OAL for initial notice in early 2012.

REVISION OF ADVERTISING REGULATIONS — TITLE 16, CCR SECTION 1811

This proposal revises the regulatory provisions related to advertising by Board licensees. The Board approved the proposed text at its August 18, 2011, meeting and directed staff to submit a regulation package to make the proposed change. This rulemaking will be submitted to OAL for initial notice in early 2012.

EXEMPTIONS FOR SPONSORED FREE HEALTHCARE EVENTS — TITLE 16, CCR SECTIONS 1820, 1820.1, 1820.2, 1820.3

As a result of Assembly Bill 2699, Bass (Chapter 270, Statutes of 2010), beginning January 1, 2011, healthcare practitioners licensed or certified in good standing in another state may be temporarily exempted from California licensing requirements under certain conditions. However, before this law can be implemented, regulations must be approved by each healing arts board under DCA which specify the methods of implementation.

The Board approved the proposed text of the regulatory changes at its November 9, 2011, meeting and directed staff to submit a regulation package to make the proposed change. This rulemaking will be submitted to OAL for initial notice in early 2012.

Legislation Update



For more information regarding the legislation below, please refer to the Legislation section of the Board's Web site. You may also find additional information on legislation on California's Legislative Information Web site at www.leginfo.ca.gov, which provides each bill's language, history, status, and analysis as provided by California's Legislature, or contact your professional association.

BOARD-SPONSORED LEGISLATION

CHAPTERED BILLS

Senate Bill 274, Wyland — Professional Clinical Counselors | *Chapter 148, Statutes of 2011*

The Board is in the process of implementing the Licensed Professional Clinical Counselor (LPCC) licensing program. The passage of SB 274 made the following changes to licensing law:

- Extended the grandparenting period through December 31, 2011, for those seeking licensure as an LPCC, as the previous grandparenting period expired before the Board was able to accept applications.
- Made a technical change to allow supervision by a professional clinical counselor or equivalent as an acceptable supervision for a grandparenting candidate.
- Removed the requirement of annual license renewal for grandparented LPCCs.
- Clarified existing law regarding the definition of engaging in practice.
- Required clinical counselor interns to provide the same level of documentation of their experience as applicants for other licenses issued by the Board.

Senate Bill 363, Emerson — Marriage and Family Therapists | *Chapter 384, Statutes of 2011*

This bill resulted in three amendments that clarify the law as it relates to Marriage and Family Therapist (MFT) Interns and trainees. The amendments are as follows:

1. **MFT Trainee Practicum:** Amends the law to allow a trainee to counsel clients outside of practicum if the period outside of practicum is less than 90 calendar days and if that period is immediately preceded and immediately followed by enrollment in a practicum course.
2. **Client-Centered Advocacy:** Under previous law, the number of client-centered advocacy hours that an MFT Intern may obtain was limited only by the amount of direct supervisor contact hours acquired by the intern. For example, if an intern received the minimum number of direct supervisor contact hours, for 104 weeks, that individual could have potentially received credit for 1,146 hours of client-centered advocacy.

Client-centered advocacy is defined in the Business and Professions Code as including, but not limited to, "researching, identifying, and accessing resources, or other activities related to obtaining or providing services and support for clients or groups of clients receiving psychotherapy or counseling services." However, in order to properly prepare

them for clinical practice, the majority of an MFT Intern's experience hours should be gained by providing psychotherapy. This bill's passing now limits the client-centered advocacy allowed for an MFT Intern to 500 hours.

3. **Supervision of MFT Interns:** Under previous law, LPCCs were not allowed to supervise MFT Interns. However, all of the other licensees of the Board of Behavioral Sciences are able to supervise these interns. This bill allows LPCCs to supervise MFT Interns if they meet the additional training and education requirements that are required of them by law in order to treat couples and families.

Senate Bill 704, Negrete McLeod — Healing Arts: Licensees: Board of Behavioral Sciences
Chapter 387, Statutes of 2011

This new law restructures the examination process for the Board's Marriage and Family Therapist (LMFT), Clinical Social Worker (LCSW), and LPCC licensees beginning January 1, 2013.

Currently, applicants have to pass a standard written examination upon completion of examination eligibility requirements, including completion of experience requirements. Once an applicant passes the standard written examination, they are eligible to take a clinical vignette examination. Passing both examinations makes applicants eligible for licensure.

This new law requires licensure applicants to pass two new exams: a California law and ethics examination and a clinical examination. These new exams will replace the standard written and clinical vignette exams currently in place.

The timing of when examinations are taken will change. The California law and ethics examination will be taken during the registration period while the applicant gains experience hours. The clinical examination will be taken once the registrant has completed all supervised work experience, education requirements, and passed the California law and ethics examination.

Senate Bill 943, Committee on Business, Professions, and Economic Development — Board Omnibus Bill
Chapter 350, Statutes of 2011

This bill proposed technical clean-up amendments to the Board's licensed marriage and family therapy, licensed educational psychologist, licensed clinical social worker, and licensed professional clinical counselor statutes. The bill also proposed amendments that either include LPCCs in statute where the Board's other licensees are already included, or make LPCC law consistent with the law for the Board's other licenses.

BOARD-SUPPORTED LEGISLATION

CHAPTERED BILLS

Assembly Bill 956, Hernandez, R. — Marriage and Family Therapy: Interns and Trainees: Advertisements
Chapter 166, Statutes of 2011

This bill requires marriage and family therapist interns and trainees to inform each client, prior to performing professional services, that they are an unlicensed intern or trainee, provide the name of his or her employer, and to indicate that he or she is under the supervision of a licensed marriage and family therapist, licensed clinical social worker, licensed psychologist, or a licensed physician and surgeon certified in psychiatry by the American Board of Psychiatry and Neurology.

This bill also requires marriage and family therapist interns and trainees to be clear in their advertising that they are not yet licensed, and are under supervision. It would prohibit the acronym "MFTI" unless "marriage and family therapy intern" is spelled out in the advertisement.

This bill became law effective January 1, 2012.

Senate Bill 146, Wyland — Healing Arts: Professional Clinical Counselors | *Chapter 381, Statutes of 2011*

This bill adds LPCCs to statutory code sections consistent with the inclusion of other Board licensees. Key amendments include adding LPCCs to the list of mandated reporters, and adding LPCCs to the list of practitioners that are defined as a psychotherapist.

This bill became law effective January 1, 2012.

Senate Bill 541, Price — Regulatory Boards: Expert Consultants | *Chapter 339, Statutes of 2011*

This bill allows a board under the jurisdiction of the Department of Consumer Affairs (DCA) to contract with an expert consultant without being subject to the provisions of the State Contract Act, if the expert is providing any of the following services:

- Providing an expert opinion on enforcement related matters;
- Assisting the board as a subject matter expert in exam development, exam validation, or occupational analysis; or
- Evaluating the mental or physical health of a licensee or applicant for licensure.

The intent of this bill was to clear up ambiguity as to whether current law applies to the DCA's subject matter experts. A formal consulting services contract is a lengthy process which may greatly inhibit the ability of DCA Boards and Bureaus to utilize subject matter experts.

This bill became law on September 26, 2011.

Senate Bill 718, Vargas — Elder or Dependent Abuse Chapter 373, Statutes of 2011

Current law requires mandated reporters of elder or adult physical abuse to report suspected abuse by telephone immediately or as soon as possible and submit a written report within two working days. This bill would instead allow a mandated reporter of elder or adult physical abuse to report suspected instances of abuse by telephone or by a confidential Internet reporting tool immediately or as soon as practically possible, and if reported by telephone, then submit a written report or Internet report within two working days.

This bill became law on January 1, 2012.

TWO-YEAR BILLS

Assembly Bill 40, Yamada — Elder Abuse: Reporting

This bill would require mandated reporters to report suspected instances of elder or dependent adult abuse that occurred in a long-term care facility to both the local ombudsman and the local law enforcement agency.

Under current law, a mandated reporter must report suspected instances of elder or dependent adult abuse occurring in a long-term care facility to either the local ombudsman or the local law enforcement agency. However, the law restricts local ombudsman programs from sharing reports of such abuse with local law enforcement without the consent of the subject of abuse or his or her legal representative.

By requiring mandated reporters to report to both entities, this bill protects victims by ensuring that both the local ombudsman and local law enforcement are aware of all reports of this type of criminal activity.

The Board adopted a “support” position on this legislation at its meeting on May 18, 2011.

Assembly Bill 154, Beall — Health Care Coverage: Mental Health Services

This bill would require a health care services plan to provide coverage for the diagnosis and medically necessary

treatment of a mental illness under the same terms and conditions applied to other medical conditions. Current mental health parity laws only require coverage for severe mental illness and a child's severe emotional disturbance.

The Board adopted a “support” position on this legislation at its meeting on May 18, 2011.

BOARD-MONITORED LEGISLATION

CHAPTERED BILLS

Assembly Bill 1424, Perea — Franchise Tax Board and Board of Equalization; Suspension of Professional License for Unpaid Tax Debt | Chapter 455, Statutes of 2011

This bill requires the Board to issue a temporary license to an individual whose name appears on either the Franchise Tax Board (FTB) or Board of Equalization (BOE) list of delinquent tax obligations. The temporary license would be valid for 90 days, allowing the Board to make a final determination if the license should be suspended. The Board must then suspend the license unless a release is received from BOE or FTB during that time. If the Board fails to take action, the FTB or BOE will suspend the license.

At its meeting on May 18, 2011, the Board adopted an “oppose unless amended” position on this legislation. The Board recommended this bill be amended to allow the Board to suspend the licenses of individuals with outstanding tax liabilities based on the model currently used for individuals in violation of a judgment or order for child support.

Update: This bill was amended on September 2, 2011, to more closely model the suspension process currently used for individuals in violation of a judgment or order for child support.

The bill became law on January 1, 2012.

VETOED BILLS

Senate Bill 747, Kehoe — Continuing Education: Lesbian, Gay, Bisexual and Transgender Patients

This bill proposed requiring LMFTs and LCSWs to take at least one continuing education course of two to five hours in length, that provides instruction on cultural competency, sensitivity, and best practices for providing adequate care to lesbian, gay, bisexual, and transgender persons.

The Board opted to take no position on this legislation at its meeting on May 18, 2011.

The bill was vetoed by the Governor.

TWO-YEAR BILLS

Assembly Bill 171, Beall — Autism Spectrum Disorder

Due to loopholes in current law, those with autism spectrum disorders are frequently denied coverage for their disorder. This bill would require every healthcare service plan contract or health insurance policy that provides hospital, medical, or surgical coverage to provide coverage for the screening, diagnosis, and treatment of autism spectrum disorders.

The Board adopted a “support if amended” position on this legislation at its meeting on May 18, 2011. The Board has asked that a minor technical clarification be made.

Assembly Bill 181, Portantino and Beall — Foster Youth: Mental Health Bill of Rights

This bill would create a mental health bill of rights for children in foster care and transition-age foster youth.

The Board adopted a “support if amended” position on this legislation at its meeting on May 18, 2011. The Board requested that minor amendments be made for clarity.

Assembly Bill 671, Portantino — Child Welfare Services: Education and Training Requirements

This bill would require a social work supervisor working for a county child welfare services agency to have a master’s degree in a specified field of study, or education and experience deemed equivalent.

The intent of this bill is to provide increased consumer protection for those utilizing the child welfare services system by ensuring that supervisors have appropriate education and training.

The Board adopted a “support if amended” position on this legislation at its meeting on May 18, 2011. The Board requested that the bill be amended to allow a master’s degree in all degree titles that are acceptable for licensure as a marriage and family therapist. Additionally, the Board felt that “equivalent education and experience” allowed in lieu of a master’s degree needed further definition, and that allowable exemptions to the law be more specifically detailed.

Assembly Bill 675, Hagman — Continuing Education

This bill would prohibit certain courses from being accepted as meeting continuing education requirements for licensees under the jurisdiction of the DCA.

Prohibited courses include those that advance or promote labor organizing on behalf of a union, and courses that advance or promote statutory or regulatory changes, political candidates, political advocacy, or political strategy.

The Board adopted an “oppose” position on this legislation at its meeting on May 18, 2011. It is very important for the Board’s licensees to know the law regarding their profession, understand the legislative process in order to be able to advocate for patients, and be informed of recent statutory and regulatory changes that affect their profession. It is unclear whether continuing education courses that discuss the legislative process and any changes to statutes and regulations affecting the profession would constitute “courses that advance or promote statutory or regulatory changes.” In addition, it is unclear if the Board’s mandatory continuing education course covering law and ethics may fall into one of the prohibited course categories.

Assembly Bill 774, Campos — Health Facilities: Licensure

Under existing law, the licensure requirements for professional personnel in State and other government health facilities licensed by the State Department of Public Health (DPH) must not be less than the requirements for professional personnel in health facilities under private ownership. However, the requirement for licensure in a government health facility licensed by DPH may be waived for individuals gaining experience to qualify for licensure as a LMFT or a LCSW for up to four years from the date employment began. DPH may extend the waiver for one year under certain circumstances.

While current law allows only DPH to grant a waiver, marriage and family therapists and clinical social workers are working in other California agencies and departments as well. These other agencies are not currently able to grant a waiver. This bill would require DPH and the State Department of Mental Health to grant a waiver and a waiver extension to a marriage and family therapist and a clinical social worker if certain criteria are met.

The Board opted to take no position on this legislation at its meeting on May 18, 2011.

Assembly Bill 958, Berryhill, B. — Regulatory Boards: Limitations Periods

This bill would reduce the Board’s statute of limitations period for filing an accusation against a licensee. The proposed time frames are the first occurring of the following:

- Within one year after the Board discovers an alleged act or omission (current law gives the Board three years); or
- Within four years after the alleged act or omission occurs (current law gives the Board seven years).

The Board adopted an “oppose” position on this legislation at its meeting on May 18, 2011. The bill is contrary to the Board’s mandate of public protection. Business and Professions Code section 4990.16 states that “Protection of the public shall be the highest priority of the board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.”

Assembly Bill 993, Wagner — Mediation and Counseling Services: Discipline and Immunity

This bill would require a complaint made against a mediator or licensed mental health professional, made against that person while he or she was providing services required by the court, must be made to the court that required the mediation or counseling services. If the court determines that unprofessional conduct has occurred, it must refer the matter to the licensing board for disciplinary action.

The Board adopted an “oppose” position on this legislation at its meeting on May 18, 2011, noting that a person acting as a licensed mental health professional would fall under jurisdiction of the Board. The bill also removes the discretion of the licensing entity to judge, using its particular set of laws, whether their licensee should be subject to disciplinary action.

Assembly Bill 1205, Berryhill, B. — Certified Applied Behavior Analysts

This bill requires that no person may hold him or herself out to be a behavior analyst, or an assistant behavior analyst, unless the person is licensed by the Board of Behavioral Sciences.

The Board opted to take no position on this legislation at its meeting on May 18, 2011.

Senate Bill 462, Blakeslee — Special Education Advocates: Certification

This bill would require the Board to issue voluntary certifications to special education advocates who successfully passed a test and completed a certification program required by a special education local plan area.

The Board adopted an “oppose” position on this legislation at its meeting on August 18, 2011. The Board notes that this bill offers no additional public protection, as certification is voluntary. In addition, the scope of practice of a special education advocate is not similar to the scope of practice for any of the Board’s current licensees.

Senate Bill 544, Price — Professions & Vocations: Regulatory Boards

This bill would provide healing arts boards under DCA with additional regulatory tools and authority for investigating and prosecuting violations of the law, in an effort to reduce the average time frame for enforcement investigations to 12 to 18 months.

The Board adopted a “support if amended” position on this legislation at its meeting on May 18, 2011. The Board supports the intent of this bill, which is to protect consumers from potentially dangerous practitioners by improving the efficiency and increasing the accountability of healing arts boards in their investigations of enforcement matters. However, the Board had several suggested amendments intended to address concerns and to increase the efficiency of the process.



New Continuing Education Requirement for Licensed Educational Psychologists

Regulations were recently approved that require all Licensed Educational Psychologists (LEPs) renewing their license on or after January 1, 2012, to complete mandatory continuing education during each license renewal period. Licensees will be required to certify completion of the required continuing education upon application for license renewal. The requirements for continuing education will be phased in as follows:

- Licensees renewing between January 1, 2012, and December 31, 2012, must complete at least 18 hours of continuing education.
- Licensees renewing on January 1, 2013, and thereafter must complete at least 36 hours of continuing education.

SPECIFIC COURSE CONTENT

Licensees must complete the following specific coursework in the first renewal period after January 1, 2012:

- Child abuse assessment — at least seven hours (first renewal period only)
- Alcoholism and other chemical substance dependency — at least 15 hours (first renewal period only)
- Law and ethics — at least six hours (every renewal period).

For the child abuse assessment and alcoholism and other chemical substance dependency coursework requirements, you do not need to take the course if you have equivalent teaching or practice experience. However, this equivalent experience can not be credited as hours towards the continuing education requirements. If you are audited, you will need to provide certificates, transcripts, or a certification from your employer of your experience in the area of the requirement. The law and ethics course must be taken each renewal period regardless of previous experience. Hours of coursework taken to fulfill these requirements may count toward continuing education hours if the coursework is taken from an acceptable continuing education provider.

GENERAL COURSE CONTENT

The content of coursework completed for continuing education credit must be relevant to the practice of educational psychology. The content must also be related to direct or indirect patient/client care.

- Direct patient/client care courses cover specialty areas of therapy (e.g., theoretical frameworks for clinical practice; intervention techniques with individuals, couples, or groups).
- Indirect patient/client care courses cover pragmatic aspects of clinical practice (e.g., legal or ethical issues, consultation, recordkeeping, office management, insurance risks and benefits, managed care issues, research obligations, supervision training).

ACCEPTABLE PROVIDERS

Continuing education must be obtained from acceptable providers. A provider that is board-approved must advertise its provider approval number (PCE #####). Accredited and approved universities are also acceptable providers of continuing education and are not required to have an approval number. Please visit the Board's Web site for a list of acceptable schools. Courses taken from an unacceptable provider will not count toward your continuing education requirement.

SELF-STUDY

A self-study course is coursework you do at your residence, office, or other private location. It can include audiotapes and booklets. As with any other continuing education courses, self-study courses must be obtained from board-approved providers or accredited or approved universities. One half of the required continuing education hours can be earned through self-study.

EQUIVALENT COURSEWORK

The Board has established the following equivalency guidelines for continuing education coursework:

- One hour of instruction is equal to one hour of continuing education credit.
- One academic quarter unit is equal to ten hours of continuing education credit.
- One academic semester unit is equal to 15 hours of continuing education credit.

MAINTENANCE OF RECORDS

A licensee must maintain records of course completion for at least two years from the date of the license renewal for which the course was completed.

REQUESTING AN EXCEPTION

The Board may grant exceptions if, during your previous renewal period:

- You resided in another country for at least one year; or
- You were absent from California due to military service for at least one year.

The Board may also grant a reasonable accommodation if, for at least one year during the previous license renewal period, you or an immediate family member, including a domestic partner, for whom you are the primary caregiver, had a verified physical or mental disability or medical condition.

For information on obtaining an exception, or about continuing education in general, please access the Board's Web site at www.bbs.ca.gov.





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